

Board of County Commissioners

Agenda Request

Date of Meeting: June 14, 2005

Date Submitted: June 8, 2005

To: Honorable Chairman and Members of the Board

From: Parwez Alam, County Administrator
Gary W. Johnson, Director, Growth and Environmental Management

Subject: Voluntary Annexation of Lakeshore Drive, West Parcels

Statement of Issue:

Board review of the voluntary annexation proposal from the City to annex four parcels containing approximately 6.5 acres, Parcel Identification Numbers 21-14-20-413-000-0, 21-14-20-414-000-0, 21-14-20-416-000-0, and 21-14-20-429-000-0 (Attachment # 1).

Background:

The Comprehensive Plan requires the Board of County Commissioners to review and make recommendations on proposed annexations to the City Commission. Specifically, Policy 2.1.4. of the Intergovernmental Coordination Element provides in part that:

The plan for each annexation shall be provided by the City Manager to the County Administrator at the time that it is provided to the City Commission. The Board of County Commissioners shall have the opportunity to review, comment, and suggest changes regarding the proposed annexation prior to the adoption of the annexation ordinance by the City Commission.

The County and City administrations have instituted procedures to implement these annexation provisions. The City submits information and analyses for review by County staff. County staff review comments are included in the Agenda Request. The City Commission will conduct a Public Hearing on June 22, 2005 on this issue (Attachment # 2).

The properties contain approximately 6.5 acres and are located on the western portion of Lakeshore Drive. The owner of the property is Market Development. According to City staff, the owner plans to construct offices and a hotel on the properties.

Analysis:

The four (4) properties proposed for annexation front on west Lakeshore Drive and contain approximately six and one half (6.5) acres. The two northernmost parcels each contain a residential unit, while the two southern parcels have no improvements. The property is located within the Urban Services Area (USA). The property is designated as Mixed Use B on the Future Land Use Map and is located in the OR-3 Office and Residential Zoning District. The zoning

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district allows both office and hotel development. The City's OR-3 Zoning District is comparable to that of the County, therefore no rezoning will be required concurrent with the annexation. As previously stated, the property owners plan on constructing offices and a hotel on the vacant parcels.

County staff comments on the proposed voluntary annexation are:

1. County Attorney: The County Attorney finds the proposed annexation does not meet the criteria established in Chapter 171, Florida Statutes due to the creation of an enclave. Staff is not aware of any prior City/County agreements which may affect this proposed annexation.
2. Public Works: The Department finds the two northern most parcels (each with one residential unit) generate \$40 annually for stormwater and \$80 for solid waste fees. The two southernmost parcels are currently undeveloped and do not generate any loss of revenue. Fiscal impacts, based on a net 40 percent impervious coverage, are potentially \$840 for stormwater fees. The potential offices and hotel would not lose solid waste fees due to commercial collection.
3. Development Services: The Division finds there is sufficient capacity on Lakeshore Drive and Interstate 10 for the additional development of this site. However, the size and nature of this development could be limited by traffic constraints located on North Monroe Street, north of Interstate 10. A list of property owners within 500 feet of the proposed annexation is included (Attachment # 3). No notices have been mailed to the property owners. According to City staff, no correspondence has been received as a result of the newspaper advertisement about this annexation.
4. Planning Department: The Department finds that the proposed annexation can be consistent with the Comprehensive Plan, provided it is conducted in accordance with Policy 2.1.4. of the Intergovernmental Coordination Element of the Comprehensive Plan.
5. Environmental Compliance: The proposed annexation is within the Lake Jackson Watershed, which is an area subject to special development zones and design standards established to minimize adverse environmental impacts associated with both the extent of development and the type of land uses permitted adjacent to sensitive environmental features. The City regulations do not require the additional or more stringent design standards as the County for its environmentally sensitive zones.

WHAT IS THE
ZONING OF
PROPERTY?
LP OR OR-3.

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Options:

1. Object to the annexation proposal based on County Attorney concerns that the proposed annexation creates an enclave, (not allowed by Florida Statutes, Ch. 171), and initiate the mediation process established by the Comprehensive Plan.
- 2.. Do not object to the City annexation of the properties on west Lakeshore Drive.
3. Board Direction

Recommendation:

Option #1.

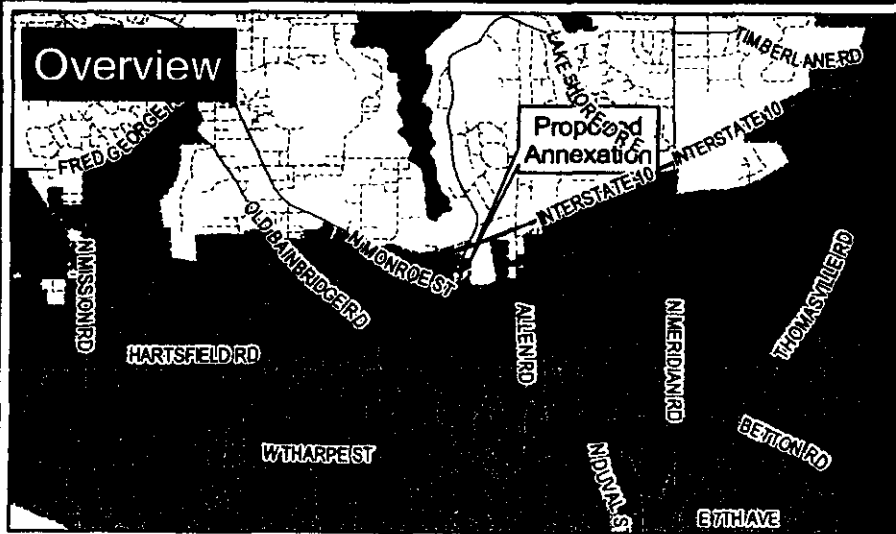
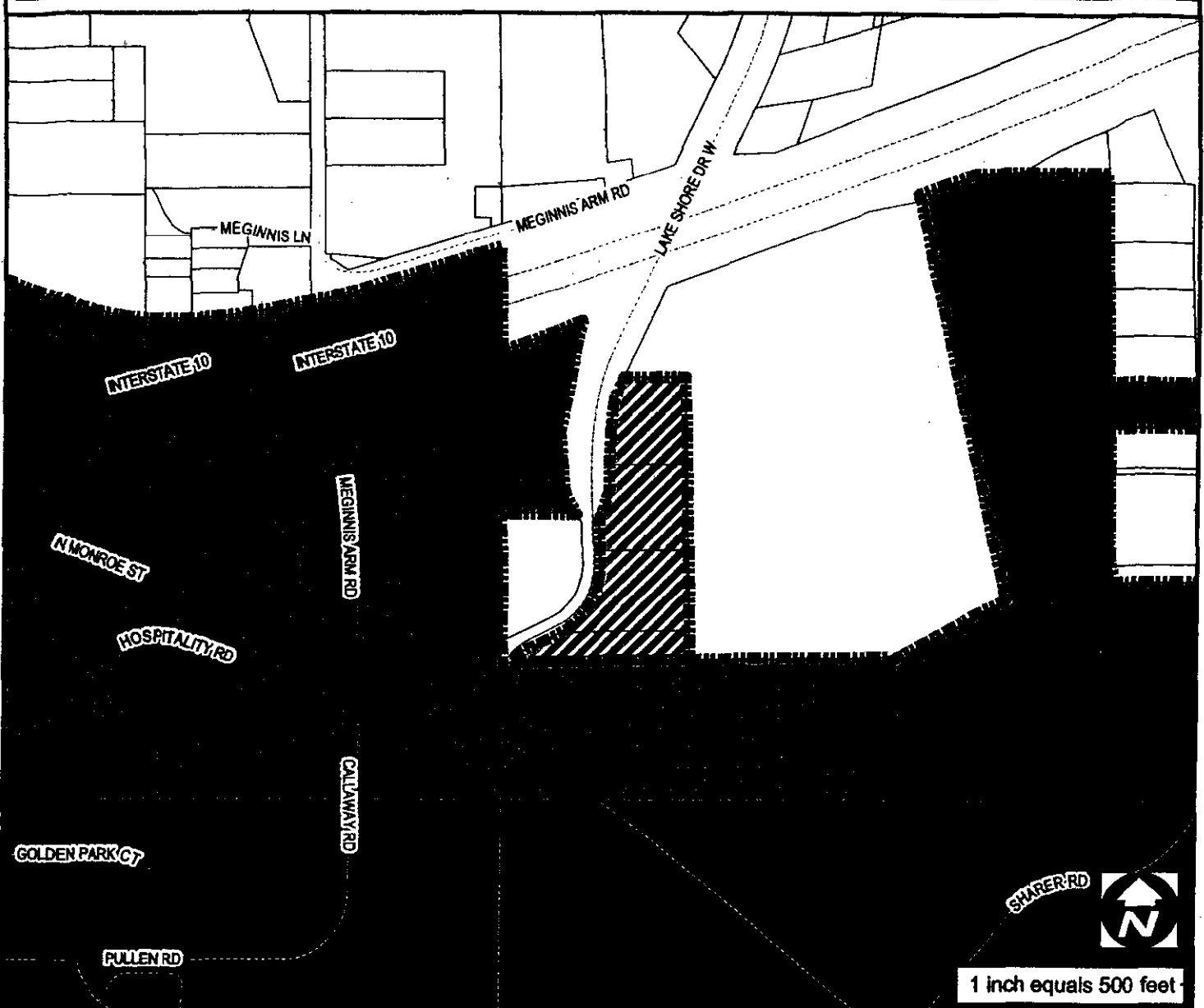
Attachments:

1. Map of Proposed Annexation
2. City of Tallahassee Commission Agenda Item, June 22, 2005
3. List of Property Owners Within 500 Feet of the Proposed Annexation

PA/GWJ/DM/MC

Proposed Annexation

Attachment 3
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WEST LAKESHORE DRIVE PROPOSED ANNEXATION



Proposed Annexation



Current City Limit (05/23/2005)

— Major Roads

Major Lakes

Parcels

Apalachicola NF



This map was prepared by the Leon County GIS Department. It is intended to provide a general overview of the proposed annexation area. It is not intended to be used for legal purposes. The GIS Department is not responsible for any errors or omissions in this map. The GIS Department is not responsible for any damages or losses resulting from the use of this map. The GIS Department is not responsible for any claims or liabilities resulting from the use of this map. The GIS Department is not responsible for any claims or liabilities resulting from the use of this map.

CITY OF TALLAHASSEE

CITY COMMISSION AGENDA ITEM

ACTION REQUESTED ON: June 8, 2005

SUBJECT/TITLE: Introduction of Ordinance #05-O-53 Proposed Voluntary
Annexation of West Lakeshore Drive Parcels

TARGET ISSUE: N/A

STATEMENT OF ISSUE

The owners of four properties located on West Lakeshore Drive have petitioned the City for annexation of approximately 6.5 acres. The two southernmost parcels are vacant; a residential structure is located on each of the two northernmost parcels. Current zoning is OR-3.

The City Attorney has determined that this annexation fully qualifies under the statutory requirements of Chapter 171, Florida Statutes.

The County was advised of this proposed annexation on May 23, 2005, and a copy of the annexation petitions were also forwarded on that date.

RECOMMENDED ACTION

Option 1 – Introduce Voluntary Annexation Ordinance # 05-O-53 West Lakeshore Drive Parcels and set public hearing date for June 22, 2005.

FISCAL IMPACT

Based on the current property tax rate of 3.7 mills, this property would have generated approximately \$860 in tax revenues in 2004. However, given the proposed development plans, future tax revenues will increase substantially.

Dinah Hart
Senior Aide to the Mayor

Anita R. Favors
City Manager

For Information, please contact: Dinah Hart, ext. 8181

ITEM TITLE: Introduction of Ordinance #05-O-53 Proposed Voluntary Annexation of West Lakeshore Drive
Parcels

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

The owners of four properties located on West Lakeshore Drive have petitioned the City for annexation of approximately 6.5 acres. The two southernmost parcels are vacant; a residential structure is located on each of the two northernmost parcels. Current zoning is OR-3. The property is within the Urban Services Area. Approval of the annexation would support the Annexation Goals as identified in the Comprehensive Plan and the annexation strategy adopted by the City Commission.

STATEMENT OF URBAN SERVICES

I. Introduction

The purpose of this statement is to provide information on the land use compatibility and level of urban services that will be provided to the proposed annexation of property located on West Lakeshore Drive.

II. Land Use

Planning Department staff has been requested to review the proposed annexation of approximately 6.5 acres fronting on West Lakeshore Drive near Monroe Street for consistency with the Comprehensive Plan. There are four parcels, all of which are currently zoned OR-3. The northernmost parcel contains a single-family residence with no exempt value; the parcel immediately to its south contains a single-family residence with a \$25,500 exempt value. The two southernmost parcels are vacant. Stated development plans at this time are for a hotel and offices. The tax identification numbers are 2114204160000, 2114204290000, 2114204130000, and 2114204140000.

Staff has reviewed the proposed annexation and finds the proposal consistent with the Comprehensive Plan, subject to the following provisions of Intergovernmental Element Policy 2.1.4 being adequately met:

- The annexation is in accordance with the requirements of Chapter 172, Florida Statutes as set forth in Policy 2.1.4[I].
- The plan for each annexation shall be provided by the City Manager to the County Administrator, the County's Growth Management Director and the County Attorney at the time that it is provided to the City Commission, but no less than six (6) days before the first reading of the ordinance. All procedures for review and comment on the annexation as set forth in Policy 2.1.4[I] shall be followed.
- The City shall provide information as to how it will provide full urban services to the area to be annexed pursuant to Policy 2.1.1 {I}.
- A description of how land use compatibility will be ensured, pursuant to Policy 2.1.4(a)[I].
- A description of how facilities will be provided and by which entity, pursuant to Policy 2.1.4(b)[I].

- A description of how the level of service standards will be maintained consistent with the Comprehensive Plan, pursuant to Policy 2.1.4 (c)[I].
- The amount of any agreed upon water and/or sewer rebate that will be due to the petitioner, pursuant to Policy 2.1.4(d)[I].

The following is provided as additional information related to this site:

- This property is in the Mixed Use C land use category on the Future Land Use Map.
- The current zoning on the properties is OR-3, which allows a variety of housing types, compatible non-retail activities of moderate intensity, retail commercial activities (limited to the ground floor), and certain community and recreational facilities related to office or residential. The maximum gross density allowed for new residential development in the OR-3 district is 20 dwelling units per acre, while the minimum gross density allowed is 6 dwelling units per acre. The City's OR-3 zoning district is identical to that of the County, except that rooming houses are allowed in the City but not the County.
- Rezoning need not be a component of this annexation.

III. Urban Services

The level of urban services that may be provided to the area proposed for annexation will be consistent with the level provided to areas within the City.

- A. **Fire Protection Service** – The City provides fire protection on an area wide basis. In the corporate limits, the fire department responds to alarms within an average of four (4) minutes. This location will be served by fire station 2, located at 2805 Sharer Rd., less than 3/4 miles away. There is a hydrant across the street from 2833 Lake Shore Drive.
- B. **Police Protection Service** – Tallahassee maintains a comprehensive law enforcement program. The full range of these services will be provided to the area upon annexation.
- C. **Growth Management** – Growth Management staff has provided the following information relative to this annexation request:

Concurrency:

A review of the concurrency street inventory indicates that there is available roadway capacity on the roadway network in the immediate vicinity of the proposed annexation. A definitive determination of whether the development of the parcel would meet concurrency standards would depend upon the size and nature of the proposed development.

Environmental Management:

1. Lake Jackson Special Development Zone B requirements apply (5-82(j)(2) to 50% of the land located between contours of 100-110 feet must remain in its natural state.
2. Stormwater concurrency will be required prior to the issuance of a development order for any development on the site.
3. Proximity to FDEP Man-made marsh/wetlands may require a natural buffer zone.
4. Intensive land uses should be discouraged due to the special development zone.
5. A Natural Features Inventory (NFI) will be required before any plans for development can be accepted by the Growth Management for development review and approval.

Land Use:

The site is zoned OR-3, an office residential zoning district that is also recognized in the city; no rezoning would be required upon annexation. The zoning would limit nonresidential activity on the site to such uses, for example, as banks, day care facilities, hotels and motels, offices and residential uses up to 20 units per acre. Upon annexation, the prospective developer should apply for a Land Use Compliance Certificate with the Growth Management Department to determine if the desired development would be permissible on the site.

- D. Public Works/Street Maintenance and Right of Way Service – The Stormwater Management, Streets and Drainage, Real Estate, and Traffic Engineering Divisions of the Public Works Department have no comments on the proposed annexation.
- E. Traffic Planning and Control – The maintenance of street signs, pavement markings, and traffic signals on city-owned streets will be assumed by the City upon annexation.
- F. Street Lighting – Tallahassee has a comprehensive program for the installation and maintenance of streetlights. There are no streets within these parcels and there are already streetlights on Lakeshore, therefore there should be no streetlight cost associated with the proposed annexation.
- G. Parks and Recreation Services – The City provides a comprehensive Parks and Recreation program and system of parks for its citizens. The only park site in the vicinity of this parcel is the Northwest Park, located at the corner of Mission and Fred George Roads. The current budget (FY2005-09) has funding to begin development of this park in FY2009, and would provide for both active and passive elements for this area. The proposed FY2006-10 budget does not include funding for this park, and in fact, proposes selling the property to balance the budget in FY2007. Should this occur, there would be no Parks and Recreation facilities in this area.
- H. Bus Service – The City owns and operates a public transit system. Annually, a system-wide analysis is performed to evaluate bus service within all areas of the corporate limits. The closest bus stop location to West Lakeshore Drive is on North Monroe Street. There are two bus stops. One bus stop is located at the Sun Tire Store (2715 N. Monroe St.). The other bus stop is across the street at Motel 6. Two bus routes service these locations, routes 1 and 9. Additionally, the Dial-a-Ride program, a specialized transportation service for citizens who are disabled, will be extended to this area upon annexation. The Dial-a-Ride program is also available to citizens over the age of 60 on a space available basis.
- I. Electric Service – The City currently provides electric service to this area. Extension of electric service to new customers in the area will be in accordance with established policy and other utility agreements.
- J. Water and Sewer Service – Water and sewer are available. Easements are required (from Northwest Florida Water Management District) to connect to the sewer on the back side of the property.
- K. Gas Service – Gas service is available in this area.
- L. Stormwater Service – Stormwater services to the area will be provided at the same level as currently provided to areas within the City.
- M. Solid Waste Service – Commercial solid waste service for these parcels is readily available.

OPTIONS

Option 1 – Introduce Voluntary Annexation Ordinance # 05-O-53 West Lakeshore Drive Parcels and set public hearing date for June 22, 2005.

Option 2 – Set another date for public hearing.

Option 3 – Do not proceed with the proposed voluntary annexation.

RECOMMENDATIONS

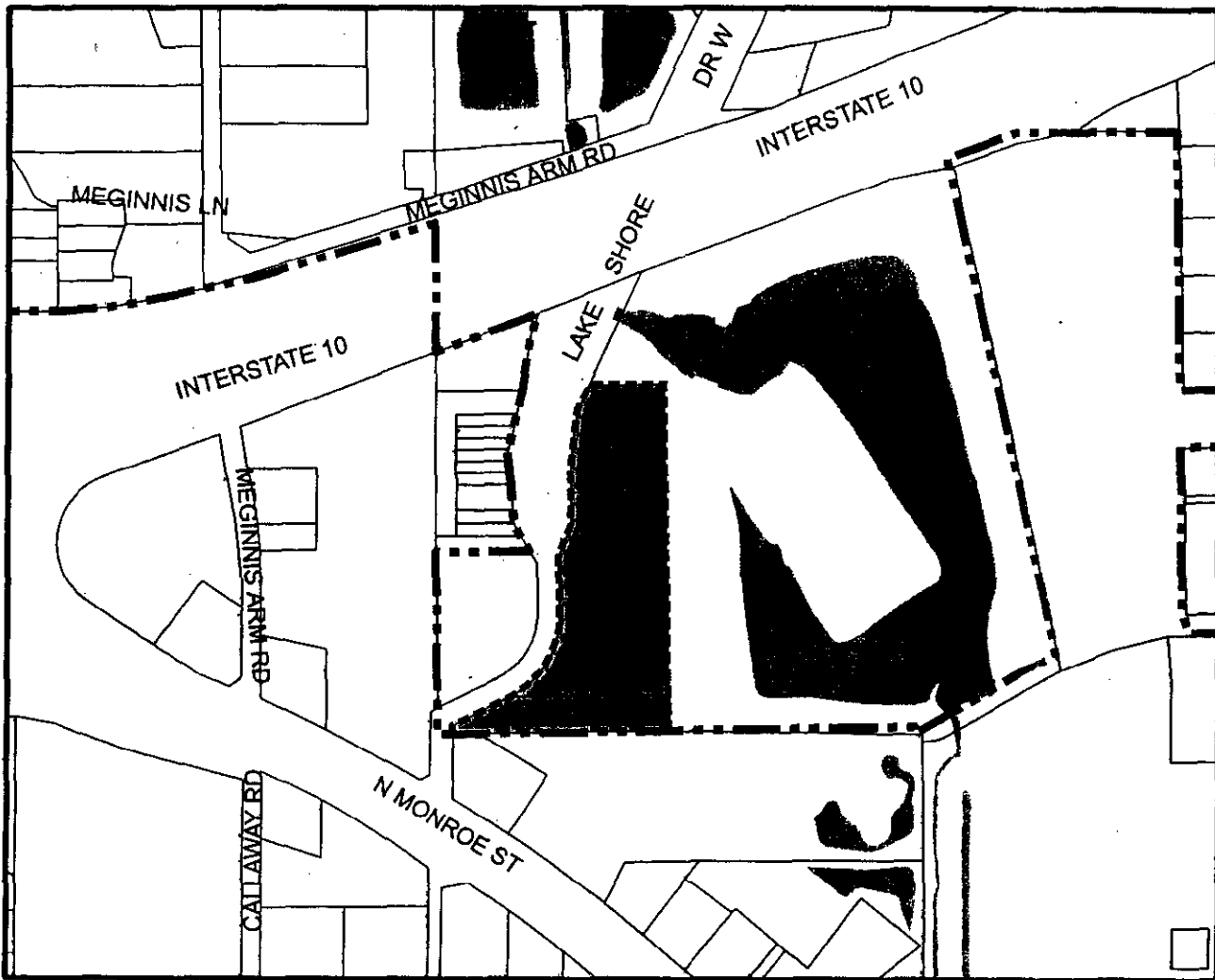
Option 1 – Introduce Voluntary Annexation Ordinance # 05-O-53 West Lakeshore Drive Parcels and set public hearing date for June 22, 2005.

ATTACHMENTS/REFERENCES

Attachment 1 – Proposed Ordinance #05-O-53

Attachment 2 – Location Map

Attachment 3 – Annexation Petitions

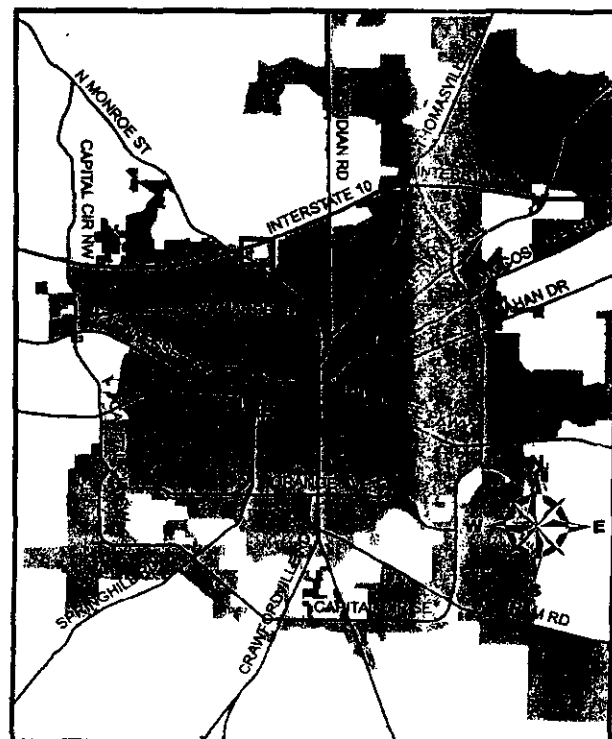


DWG NO. OMB00143.AI
 Ordinance # 04-O-38

WEST LAKE SHORE DRIVE PROPOSED ANNEXATION

LEGEND

- CURRENT CITY LIMITS
- PROPOSED CITY LIMITS



TALLAHASSEE - LEON COUNTY PLANNING DEPARTMENT

2114204310000	ABC PROPERTIES LTD PO BOX 593688 ORLANDO FL 32859	2114204170030	BARNES CARL B III 2902 LAKESHORE DR TALLAHASSEE FL 32303	2114204170050	BRYAN REBECCA JBRYAN STEVEN 108 GREEN WAY DR HAVANA FL 32333
2114510000150	CALLOWAY MILDRED B EST C/O RAINEY CAWTHORN DISTRIBUTOR INC PO BOX 643 TALLAHASSEE FL 32302	2114204390000	CAQUELON INC 2727 N MONROE ST TALLAHASSEE FL 32303	2114510000080	CJC PROPERTIES LTD 695 BENJAMIN CHAIRES RD TALLAHASSEE FL 32317
2114204370000	CRAIG JOHNNIE BCRAIG A R 241 JOHN KNOX RD STE 200 TALLAHASSEE FL 32303	2114204280000	DOLLAR SYBIL H 1933 LONGVIEW DR TALLAHASSEE FL 32303	2114204270000	G W HUNTER INC PO BOX 958 LAKE CITY FL 32056
2114204180000	GANDY JARED L SR 7730 MCCLURE DR TALLAHASSEE FL 32312	2114204240000	KENYON FLORIDA LLC % ACCOR NORTH AMERICA TAX DEPT #1191 E PO BOX 117508 CARROLLTON TX 75011	2114204170040	KUMAR NARESHKUMAR ATUL 2711 ALLEN RD APT 411 TALLAHASSEE FL 32312
2114204170000	LINDERAND INVESTMENT CORP PO BOX 14435 TALLAHASSEE FL 32317	2114204150000	LINDERAND INVESTMENT CORP PO BOX 14435 TALLAHASSEE FL 32317	2114510000140	LOTUS PTNSHP LTD 2800 N MONROE ST TALLAHASSEE FL 32303
2114204160000	MIDDLEBROOKS HARRY ESTATE % HARRY MAYS MIDDLEBROOKS JR 526 E 7TH AVE TALLAHASSEE FL 32303	2114204170020	MOSS KAYE 1889 COLLINS LANDING RD TALLAHASSEE FL 32310	2114204170010	MOSS KAYE O 1889 COLLINS LANDING RD TALLAHASSEE FL 32310
2114204130000	RANDELL C S 2833 W LAKESHORE DR TALLAHASSEE FL 32312	2114510000130	SHONEY'S INC #189 % RASH 815-09-1189 930 W FIRST ST STE 303 FORT WORTH TX 76114-2708	2114204210000	SIMMONS GEORGERANDY FULLERTON 2701 N MONROE ST TALLAHASSEE FL 32303
2114204140000	SMITH WILLIE JSMITH ANNIE C 2913 LAKESHORE DR W TALLAHASSEE FL 32312	2114204170090	T S BUILDERS INC 521 CHAF CHASON RD QUINCY FL 32352	2114204170080	T S BUILDERS INC 521 CHAF CHASON RD QUINCY FL 32352
2114204170070	T S BUILDERS INC 521 CHAF CHASON RD QUINCY FL 32352	2114204170080	T S BUILDERS INC 521 CHAF CHASON RD QUINCY FL 32352	2114204180000	TALLAHASSEE CABOT LODGE I C/O NATIONAL TAX SEARCH LLC PO BOX 81290 CHICAGO IL 60681
2114510000200	TALLAHASSEE HOTEL PTNRS % MARGARET S SWINDALL 2336 HWY 411 WHITE GA 30184	2114209230000	TIITF % DNR DOUGLAS BUILDING 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399		